

Senate File 277

SENATE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1118)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the state's educational standards regarding
2 teacher librarians and qualified guidance counselors, and to
3 teacher and administrator quality, including the student
4 achievement and teacher quality program and an administrator
5 quality program, making appropriations, and providing an
6 effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

8 TLSB 1227SV 82

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1 1 Section 1. Section 256.7, subsection 25, Code 2007, is
1 2 amended to read as follows:
1 3 25. Adopt rules establishing standards for school district
1 4 and area education agency ~~career~~ professional development
1 5 programs and for individual teacher ~~career~~ professional
1 6 development plans in accordance with section 284.6.

1 7 Sec. 2. Section 256.7, Code 2007, is amended by adding the
1 8 following new subsection:

1 9 NEW SUBSECTION. 27. Adopt by rule the Iowa standards for
1 10 school administrators, including the knowledge and skill
1 11 criteria developed by the director in accordance with section
1 12 256.9, subsection 55.

1 13 Sec. 3. Section 256.9, Code 2007, is amended by adding the
1 14 following new subsection:

1 15 NEW SUBSECTION. 55. Develop Iowa standards for school
1 16 administrators, including knowledge and skill criteria, and
1 17 develop, based on the Iowa standards for administrators,
1 18 mentoring and induction, evaluation processes, and career
1 19 development plans pursuant to chapter 284A. The criteria
1 20 shall further define the characteristics of quality
1 21 administrators as established by the Iowa standards for school
1 22 administrators.

1 23 Sec. 4. Section 256.11, Code 2007, is amended by adding
1 24 the following new subsections:

1 25 NEW SUBSECTION. 9A. Beginning July 1, 2007, each school
1 26 district shall have a qualified guidance counselor who shall
1 27 be licensed by the board of educational examiners under
1 28 chapter 272. Each school district shall work toward the goal
1 29 of having one qualified guidance counselor for every three
1 30 hundred fifty students enrolled in the school district. The
1 31 state board shall establish in rule a definition of and
1 32 standards for an articulated sequential kindergarten through
1 33 grade twelve guidance and counseling program.

1 34 NEW SUBSECTION. 9B. Beginning July 1, 2007, each school
1 35 district shall have a school nurse to provide health services
2 1 to its students. For purposes of this subsection, "school
2 2 nurse" means a person who holds an endorsement or a statement
2 3 of professional recognition for school nurses issued by the
2 4 board of educational examiners under chapter 272.

2 5 Sec. 5. Section 256.11A, subsection 1, Code 2007, is
2 6 amended to read as follows:

2 7 1. The board of directors of a school district may, not
2 8 later than August 1, ~~2006~~, for the current school year
2 9 ~~beginning July 1, 2006~~, file a written request to the
2 10 department of education ~~that~~ for the department to waive the
2 11 requirement adopted by the state board pursuant to section
2 12 256.11, subsection 9, that the school district have a
2 13 qualified teacher librarian, the requirement adopted by the
2 14 state board pursuant to section 256.11, subsection 9A, that

~~2 15 the school district have a qualified guidance counselor, or~~
~~2 16 the requirement adopted by the state board pursuant to section~~
~~2 17 256.11, subsection 9B, that the school district have not less~~
~~2 18 than one school nurse. The procedures specified in subsection~~
~~2 19 2 apply to the request. Not later than August 1, 2007, for of~~
~~2 20 the following school year beginning July 1, 2007, for that~~
~~2 21 following school year, the board of directors of a school~~
~~2 22 district may request a one-year extension of the waiver. A~~
~~2 23 school district cannot request a waiver of a requirement under~~
~~2 24 section 256.11, subsection 9, 9A, or 9B, if it met the~~
~~2 25 requirements of section 256.11, subsection 9, 9A, or 9B, as~~
~~2 26 applicable, in the previous school year.~~

2 27 Sec. 6. Section 257.31, subsection 5, Code 2007, is
2 28 amended by adding the following new paragraph:
2 29 NEW PARAGRAPH. m. The addition of one or more teacher
2 30 librarians pursuant to section 256.11, subsection 9, or one or
2 31 more guidance counselors pursuant to section 256.11,
2 32 subsection 9A.

2 33 Sec. 7. Section 272.9A, Code 2007, is amended by striking
2 34 the section and inserting in lieu thereof the following:
2 35 272.9A ADMINISTRATOR LICENSES.

3 1 1. Beginning July 1, 2007, requirements for administrator
3 2 licensure beyond an initial license shall include completion
3 3 of a beginning administrator mentoring and induction program
3 4 provided by the department pursuant to section 284A.2,
3 5 subsection 2, as amended in this Act, and demonstration of
3 6 competence on the administrator standards adopted pursuant to
3 7 section 284A.3.

3 8 2. The board shall adopt rules for administrator licensure
3 9 renewal that include credit for individual administrator
3 10 career development plans developed in accordance with section
3 11 284A.6.

3 12 3. An administrator formerly employed by an accredited
3 13 nonpublic school or formerly employed as an administrator in
3 14 another state or country is exempt from the mentoring and
3 15 induction requirement under subsection 1 if the administrator
3 16 can document two years of successful administrator experience
3 17 and meet or exceed the requirements contained in rules adopted
3 18 pursuant to this chapter for endorsement and licensure.
3 19 However, if an administrator cannot document two years of
3 20 successful administrator experience when hired by a school
3 21 district, the administrator shall meet the requirements of
3 22 subsection 1.

3 23 Sec. 8. Section 284.1, subsection 4, Code 2007, is amended
3 24 by striking the subsection.

3 25 Sec. 9. Section 284.2, subsection 9, Code 2007, is amended
3 26 to read as follows:

3 27 9. "School board" means the board of directors of a school
3 28 district, ~~or a collaboration of boards of directors of school~~
3 29 ~~districts, or the board of directors of an area education~~
3 30 agency, as the context requires.

3 31 Sec. 10. Section 284.2, subsection 11, Code 2007, is
3 32 amended to read as follows:

3 33 11. "Teacher" means an individual holding who holds a
3 34 practitioner's license issued under chapter 272, or who holds
3 35 a practitioner's license with a school nurse endorsement or a
4 1 statement of professional recognition for school nurses issued
4 2 under chapter 272, who is employed in a nonadministrative
4 3 position as a teacher, teacher librarian, preschool teacher,
4 4 or counselor by a school district or area education agency
4 5 pursuant to a contract issued by a board of directors under
4 6 section 279.13. A teacher may be employed in both an
4 7 administrative and a nonadministrative position by a board of
4 8 directors and shall be considered a part-time teacher for the
4 9 portion of time that the teacher is employed in a
4 10 nonadministrative position. "Teacher" includes a licensed
4 11 individual employed on a less than full-time basis by a school
4 12 district through a contract between the school district and an
4 13 institution of higher education with a practitioner
4 14 preparation program in which the licensed teacher is enrolled.

4 15 Sec. 11. Section 284.3, subsection 2, paragraph b, Code
4 16 2007, is amended to read as follows:

4 17 b. ~~By July 1, 2005, for~~ For purposes of performance
4 18 reviews for teachers other than beginning teachers,
4 19 evaluations that contain, at a minimum, the Iowa teaching
4 20 standards specified in subsection 1, as well as the criteria
4 21 for the Iowa teaching standards developed by the department in
4 22 accordance with section 256.9, subsection 50. A local school
4 23 board and its certified bargaining representative may
4 24 negotiate, pursuant to chapter 20, additional teaching
4 25 standards and criteria. A local school board and its

4 26 certified bargaining representative ~~may~~ shall negotiate,
4 27 pursuant to chapter 20, evaluation and grievance procedures
4 28 for teachers other than beginning teachers that are not in
4 29 conflict with this chapter.

4 30 Sec. 12. Section 284.4, subsection 1, unnumbered paragraph
4 31 1, Code 2007, is amended to read as follows:
4 32 A school district or area education agency is eligible to
4 33 receive moneys appropriated for purposes specified in this
4 34 chapter if the school board applies to the department to
4 35 participate in the student achievement and teacher quality
5 1 program and submits a written statement declaring the school
5 2 district's or agency's willingness to do all of the following:
5 3 Sec. 13. Section 284.4, subsection 1, paragraph c, Code
5 4 2007, is amended by striking the paragraph and inserting in
5 5 lieu thereof the following:
5 6 c. Create a teacher quality committee. The committee
5 7 shall have equal representation of administrators and
5 8 teachers. The teacher members shall be appointed by the
5 9 certified employee organization if one exists, and if not, by
5 10 the school district's or agency's administration. The
5 11 administrator members shall be appointed by the school board.
5 12 The committee shall do all of the following:
5 13 (1) Monitor the implementation of the requirements of
5 14 statutes and administrative code provisions relating to this
5 15 chapter, including requirements that affect any agreement
5 16 negotiated pursuant to chapter 20.
5 17 (2) Monitor the evaluation requirements of this chapter to
5 18 ensure evaluations are conducted in a fair and consistent
5 19 manner throughout the school district or agency. In addition
5 20 to any negotiated evaluation procedures, develop model
5 21 evidence for the Iowa teaching standards and criteria. The
5 22 model evidence will minimize paperwork and focus on teacher
5 23 improvement. The model evidence will determine which
5 24 standards and criteria can be met with observation and which
5 25 evidence meets multiple standards and criteria.
5 26 (3) Make recommendations, upon consideration of the Iowa
5 27 professional development model, on the use and distribution of
5 28 professional development funds distributed to the school
5 29 district or agency.
5 30 (4) Monitor the professional development in each
5 31 attendance center to ensure that the professional development
5 32 meets school district or agency, attendance center, and
5 33 individual professional development plans.
5 34 (5) Ensure the agreement negotiated pursuant to chapter 20
5 35 determines the compensation for teachers on the committee for
6 1 work responsibilities required beyond the normal work day.
6 2 Sec. 14. Section 284.4, subsection 1, paragraphs d and e,
6 3 Code 2007, are amended to read as follows:
6 4 d. Adopt school district, attendance center, and teacher
6 5 ~~career professional~~ development plans in accordance with this
6 6 chapter.
6 7 e. Adopt a teacher evaluation plan that, at minimum,
6 8 requires a performance review of teachers in the district at
6 9 least once every three years based upon the Iowa teaching
6 10 standards and individual ~~career professional~~ development
6 11 plans, and requires administrators to complete evaluator
6 12 training in accordance with section 284.10.
6 13 Sec. 15. Section 284.4, subsection 1, paragraph g, Code
6 14 2007, is amended by striking the paragraph.
6 15 Sec. 16. Section 284.6, subsection 1, unnumbered paragraph
6 16 1, Code 2007, is amended to read as follows:
6 17 The department shall coordinate a statewide network of
6 18 ~~career professional~~ development for Iowa teachers. A school
6 19 district or ~~career professional~~ development provider that
6 20 offers a ~~career professional~~ development program in accordance
6 21 with section 256.9, subsection 50, shall demonstrate that the
6 22 program contains the following:
6 23 Sec. 17. Section 284.6, subsection 1, paragraph a, Code
6 24 2007, is amended to read as follows:
6 25 a. Support that meets the ~~career professional~~ development
6 26 needs of individual teachers and is aligned with the Iowa
6 27 teaching standards.
6 28 Sec. 18. Section 284.6, subsections 2 through 6, Code
6 29 2007, are amended to read as follows:
6 30 2. The department shall identify models of ~~career~~
6 31 professional development practices that produce evidence of
6 32 the link between teacher training and improved student
6 33 learning.
6 34 3. A school district shall incorporate a district ~~career~~
6 35 professional development plan into the district's
7 1 comprehensive school improvement plan submitted to the

7 2 department in accordance with section 256.7, subsection 21.
7 3 The district ~~career professional~~ development plan shall
7 4 include a description of the means by which the school
7 5 district will provide access to all teachers in the district
7 6 to ~~career professional~~ development programs or offerings that
7 7 meet the requirements of subsection 1. The plan shall align
7 8 all ~~career professional~~ development with the school district's
7 9 long-range student learning goals and the Iowa teaching
7 10 standards. The plan shall indicate the school district's
7 11 approved ~~career professional~~ development provider or
7 12 providers. The plan shall include the use and distribution of
7 13 the professional development funds in accordance with the
7 14 negotiated agreement as provided in subsection 8.

7 15 4. In cooperation with the teacher's evaluator, the career
7 16 teacher employed by a school district shall develop an
7 17 individual teacher ~~career professional~~ development plan. The
7 18 evaluator shall consult with the teacher's supervisor on the
7 19 development of the individual teacher ~~career professional~~
7 20 development plan. The purpose of the plan is to promote
7 21 individual and group ~~career professional~~ development. The
7 22 individual plan shall be based, at minimum, on the needs of
7 23 the teacher, the Iowa teaching standards, and the student
7 24 achievement goals of the attendance center and the school
7 25 district as outlined in the comprehensive school improvement
7 26 plan. The individual plan shall include goals for the
7 27 individual which are beyond those required under the
7 28 attendance center professional development plan developed
7 29 pursuant to subsection 7.

7 30 5. The teacher's evaluator shall annually meet with the
7 31 teacher to review progress in meeting the goals in the
7 32 teacher's individual plan. The teacher shall present to the
7 33 evaluator evidence of progress. The purpose of the meeting
7 34 shall be to review the teacher's progress in meeting ~~career~~
7 35 ~~professional~~ development goals in the plan and to review
8 1 collaborative work with other staff on student achievement
8 2 goals and to modify as necessary the teacher's individual plan
8 3 to reflect the individual teacher's and the school district's
8 4 needs and the individual's progress in meeting the goals in
8 5 the plan. The teacher's supervisor and the evaluator shall
8 6 review, modify, or accept modifications made to the teacher's
8 7 individual plan.

8 8 6. School districts, a consortium of school districts,
8 9 area education agencies, higher education institutions, and
8 10 other public or private entities including professional
8 11 associations may be approved by the state board to provide
8 12 teacher ~~career professional~~ development. The ~~career~~
8 13 ~~professional~~ development program or offering shall, at
8 14 minimum, meet the requirements of subsection 1. The state
8 15 board shall adopt rules for the approval of ~~career~~
8 16 ~~professional~~ development providers and standards for the
8 17 district ~~career~~ development plan.

8 18 Sec. 19. Section 284.6, Code 2007, is amended by adding
8 19 the following new subsections:

8 20 NEW SUBSECTION. 7. Each attendance center shall develop
8 21 an attendance center professional development plan. The
8 22 purpose of the plan is to promote group professional
8 23 development. The attendance center plan shall be based, at a
8 24 minimum, on the needs of the teachers, the Iowa teaching
8 25 standards, district professional development plans, and the
8 26 student achievement goals of the attendance center and the
8 27 school district as set forth in the comprehensive school
8 28 improvement plan.

8 29 NEW SUBSECTION. 8. For each year in which a school
8 30 district receives funds allocated for distribution to school
8 31 districts for professional development pursuant to section
8 32 284.13, subsection 1, paragraph "d", the school district shall
8 33 create quality professional development opportunities. If the
8 34 licensed employees of the school district are organized under
8 35 chapter 20 for collective bargaining purposes, the use and
9 1 distribution of the funds received shall be determined by the
9 2 collective bargaining agreement negotiated under chapter 20 by
9 3 the school board and its certified bargaining representative.
9 4 The use of the funds is limited to providing professional
9 5 development to teachers, including additional salaries for
9 6 time beyond the normal negotiated agreement, pay for
9 7 substitute teachers, professional development materials,
9 8 speakers, professional development content, and costs
9 9 associated with implementing the individual professional
9 10 development plans. The use of the funds shall be balanced
9 11 between school district, attendance center, and individual
9 12 professional development plans, making every reasonable effort

9 13 to provide equal access to all teachers.
9 14 NEW SUBSECTION. 9. The distribution of funds allocated
9 15 for professional development pursuant to section 284.13,
9 16 subsection 1, paragraph "d", shall be made in one payment on
9 17 or about October 15 of the fiscal year for which the
9 18 appropriation is made, taking into consideration the relative
9 19 budget and cash position of the state resources. Moneys
9 20 received pursuant to section 284.13, subsection 1, paragraph
9 21 "d", shall not be commingled with state aid payments made
9 22 under section 257.16 to a school district, shall be accounted
9 23 for by the local school district separately from state aid
9 24 payments, and are miscellaneous income for purposes of chapter
9 25 257. A school district shall maintain a separate listing
9 26 within its budget for funds received and expenditures made
9 27 pursuant to this subsection. A school district shall certify
9 28 to the department of education how the school district
9 29 allocated the funds and that moneys received under this
9 30 subsection were used to supplement, not supplant, the
9 31 professional development opportunities the school district
9 32 would otherwise make available.

9 33 NEW SUBSECTION. 10. If funds are allocated for purposes
9 34 of professional development pursuant to section 284.13,
9 35 subsection 1, paragraph "e", the department shall, in
10 1 collaboration with the area education agencies, establish
10 2 teacher development academies for school-based teams of
10 3 teachers and instructional leaders. Each academy shall
10 4 include an institute and shall provide follow-up training and
10 5 coaching.

10 6 Sec. 20. Section 284.7, subsection 1, paragraph a,
10 7 subparagraph (2), Code 2007, is amended to read as follows:

10 8 (2) Beginning July 1, ~~2006~~ 2007, the minimum salary for a
10 9 beginning teacher shall be ~~twenty-five~~ twenty-six thousand
10 10 five hundred dollars.

10 11 Sec. 21. Section 284.7, subsection 1, paragraph b,
10 12 subparagraph (1), subparagraph subdivision (d), Code 2007, is
10 13 amended to read as follows:

10 14 (d) Participates in teacher ~~career~~ professional
10 15 development as set forth in this chapter and demonstrates
10 16 continuous improvement in teaching.

10 17 Sec. 22. Section 284.7, subsection 1, paragraph b,
10 18 subparagraph (2), Code 2007, is amended to read as follows:

10 19 (2) Beginning July 1, ~~2006~~ 2007, the minimum salary for a
10 20 first-year career teacher shall be ~~twenty-six~~ twenty-seven
10 21 thousand five hundred dollars and the minimum salary for all
10 22 other career teachers shall be ~~twenty-seven~~ twenty-eight
10 23 thousand five hundred dollars.

10 24 Sec. 23. Section 284.7, subsection 2, paragraph b,
10 25 subparagraph (1), subparagraph subdivision (c), Code 2007, is
10 26 amended to read as follows:

10 27 (c) Participates in teacher ~~career~~ professional
10 28 development as outlined in this chapter and demonstrates
10 29 continuous improvement in teaching.

10 30 Sec. 24. Section 284.7, subsection 4, Code 2007, is
10 31 amended by striking the subsection.

10 32 Sec. 25. Section 284.7, subsection 6, paragraphs a and b,
10 33 Code 2007, are amended to read as follows:

10 34 a. If the licensed employees of a school district or area
10 35 education agency receiving funds pursuant to section 284.13,
11 1 subsection 1, paragraph "h" or "i", for purposes of this
11 2 section, are organized under chapter 20 for collective
11 3 bargaining purposes, the board of directors and the certified
11 4 bargaining representative for the licensed employees shall
11 5 mutually agree upon a formula for distributing the funds among
11 6 the teachers employed by the school district or area education
11 7 agency. However, the school district must comply with the
11 8 salary minimums provided for in this section. The parties
11 9 shall follow the negotiation and bargaining procedures
11 10 specified in chapter 20 except that if the parties reach an
11 11 impasse, neither impasse procedures agreed to by the parties
11 12 nor sections 20.20 through 20.22 shall apply and the funds
11 13 shall be paid as provided in paragraph "b". Negotiations
11 14 under this section are subject to the scope of negotiations
11 15 specified in section 20.9. If a board of directors and the
11 16 certified bargaining representative for licensed employees
11 17 have not reached mutual agreement for the distribution of
11 18 funds received pursuant to section 284.13, subsection 1,
11 19 paragraph "h" or "i", by ~~July~~ September 15 of the fiscal year
11 20 for which the funds are distributed, paragraph "b" of this
11 21 subsection shall apply.

11 22 b. If, once the minimum salary requirements of this
11 23 section have been met by the school district or area education

11 24 agency, and the school district or area education agency
11 25 receiving funds pursuant to section 284.13, subsection 1,
11 26 paragraph "h" or "i", for purposes of this section, and the
11 27 certified bargaining representative for the licensed employees
11 28 have not reached an agreement for distribution of the funds
11 29 remaining, in accordance with paragraph "a", the board of
11 30 directors shall divide the funds remaining among full-time
11 31 teachers employed by the district or area education agency
11 32 whose regular compensation is equal to or greater than the
11 33 minimum ~~career teacher~~ salary specified in this section. The
11 34 payment amount for teachers employed on less than a full-time
11 35 basis shall be prorated.

12 1 Sec. 26. Section 284.7, subsection 6, Code 2007, is
12 2 amended by adding the following new paragraph:

12 3 NEW PARAGRAPH. d. For the school year beginning July 1,
12 4 2008, if the licensed employees of a school district or area
12 5 education agency receiving funds pursuant to section 284.13,
12 6 subsection 1, paragraph "h" or "i", for purposes of this
12 7 section, are organized under chapter 20 for collective
12 8 bargaining purposes, the school board and the certified
12 9 bargaining representative for the licensed employees shall
12 10 negotiate a formula for distributing the funds among the
12 11 teachers employed by the school district or area education
12 12 agency according to chapter 20. Paragraphs "a" and "b" shall
12 13 apply to any increases in the funds provided above the base
12 14 year.

12 15 Sec. 27. Section 284.8, subsections 1 and 2, Code 2007,
12 16 are amended to read as follows:

12 17 1. A school district shall review a teacher's performance
12 18 at least once every three years for purposes of assisting
12 19 teachers in making continuous improvement, documenting
12 20 continued competence in the Iowa teaching standards,
12 21 identifying teachers in need of improvement, or to determine
12 22 whether the teacher's practice meets school district
12 23 expectations for career advancement in accordance with section
12 24 284.7. The review shall include, at minimum, classroom
12 25 observation of the teacher, the teacher's progress, and
12 26 implementation of the teacher's individual career professional
12 27 development plan, subject to the level of funding provided to
12 28 implement the plan; and shall include supporting documentation
12 29 from other evaluators, teachers, parents, and students; ~~and~~
12 30 ~~may include video portfolios as evidence of teaching~~
12 31 ~~practices.~~

12 32 2. If a supervisor or an evaluator determines, at any
12 33 time, as a result of a teacher's performance that the teacher
12 34 is not meeting district expectations under the Iowa teaching
12 35 standards specified in section 284.3, subsection 1, paragraphs
13 1 "a" through ~~"g"~~ "h", the criteria for the Iowa teaching
13 2 standards developed by the department in accordance with
13 3 section 256.9, subsection 50, and any other standards or
13 4 criteria established in the collective bargaining agreement,
13 5 the evaluator shall, at the direction of the teacher's
13 6 supervisor, recommend to the district that the teacher
13 7 participate in an intensive assistance program. The intensive
13 8 assistance program and its implementation are ~~not~~ subject to
13 9 negotiation or grievance procedures established pursuant to
13 10 chapter 20. ~~By July 1, 2005, all All~~ school districts ~~must~~
13 11 shall be prepared to offer an intensive assistance program.

13 12 Sec. 28. Section 284.8, Code 2007, is amended by adding
13 13 the following new subsection:

13 14 NEW SUBSECTION. 4. Until given an opportunity to
13 15 participate in an intensive assistance program, a teacher
13 16 shall not suffer any adverse employment consequences for not
13 17 meeting the standards and criteria specified in subsection 3.

13 18 Sec. 29. Section 284.11, Code 2007, is amended to read as
13 19 follows:

13 20 284.11 MARKET FACTOR TEACHER ~~SALARIES~~ INCENTIVES.

13 21 1. The general assembly finds that Iowa school districts
13 22 need to be more competitive in recruiting and retaining
13 23 talented professionals into the teaching profession. To
13 24 ensure that school districts in all areas of the state have
13 25 the ability to attract highly qualified teachers, it is the
13 26 intent of the general assembly to encourage school districts
13 27 to ~~establish teacher compensation opportunities that recognize~~
13 28 ~~the need for geographic or other locally determined wage~~
13 29 ~~differentials and provide incentives for traditionally~~
13 30 ~~hard-to-staff schools and subject-area shortages. This~~
13 31 section provides for state assistance to allow school
13 32 districts to add a market factor to ~~teacher salaries~~ incentive
13 33 paid by the school districts.

13 34 2. A school district shall be paid annually, from moneys

13 35 allocated for market factor ~~salaries incentives~~ pursuant to
14 1 section 284.13, subsection 1, paragraph "f", an amount of
14 2 state assistance to create market factor incentives for
14 3 classroom teachers in the school district. Market factor
14 4 incentives may include but are not limited to ~~improving~~
~~14 5 salaries due to geographic differences, educational~~
~~14 6 opportunities and support, moving expenses, and housing~~
~~14 7 expenses for the recruitment and retention needs of the school~~
14 8 district in such areas as hard-to-staff schools, and
14 9 subject-area shortages, or ~~improving the racial or ethnic~~
~~14 10 diversity on local teaching staffs funding to prepare a~~
~~14 11 teacher to attain a license or endorsement in a shortage area,~~
~~14 12 or funds to support educational support personnel in pursuing~~
~~14 13 a license in a shortage area. The school district shall have~~
~~14 14 the sole discretion to award funds received by the school~~
~~14 15 district in accordance with section 284.13, subsection 1,~~
~~14 16 paragraph "f", to classroom teachers on an annual basis. The~~
~~14 17 funds shall supplement, but not supplant, wages and salaries~~
~~14 18 paid as a result of a collective bargaining agreement reached~~
~~14 19 pursuant to chapter 20 or as a result of funds appropriated~~
~~14 20 elsewhere in this chapter, in chapter 256D, or in chapter~~
~~14 21 294A. The teacher quality committee established pursuant to~~
~~14 22 section 284.4, subsection 1, paragraph "c", shall make~~
~~14 23 recommendations to the school board and the certified~~
~~14 24 bargaining representative regarding the expenditures of market~~
~~14 25 factor incentives.~~

14 26 3. The allocations to each school district shall be made
14 27 in one payment on or about October 15 of the fiscal year for
14 28 which the appropriation is made, taking into consideration the
14 29 relative budget and cash position of the state resources.
14 30 Moneys received under this section shall not be commingled
14 31 with state aid payments made under section 257.16 to a school
14 32 district and shall be accounted for by the local school
14 33 district separately from state aid payments. Payments made to
14 34 school districts under this section are miscellaneous income
14 35 for purposes of chapter 257. A school district shall maintain
15 1 a separate listing within its budget for payments received and
15 2 expenditures made pursuant to this section. A school district
15 3 shall certify to the department of education how the school
15 4 district allocated the funds and ~~that how the moneys received~~
~~15 5 under this section were used to supplement, not supplant, the~~
~~15 6 salary the school district would otherwise pay the teacher.~~

15 7 4. The department shall include market factor ~~salaries~~
15 8 ~~incentives~~ when reporting ~~teacher salaries~~ in the annual
15 9 condition of education report on the use of funds allocated
15 10 for purposes of this section. The department shall review the
15 11 use and effectiveness of the use of funds allocated for
15 12 purposes of this section and shall submit its findings and
15 13 recommendations in a report to the general assembly by January
15 14 15, 2008. It is the intent of the general assembly to
15 15 reevaluate the fiscal year allocations made pursuant to
15 16 section 284.13, subsection 1, paragraph "f", subparagraphs (2)
15 17 and (3), based upon this report.

15 18 Sec. 30. Section 284.12, subsection 1, paragraph c, Code
15 19 2007, is amended by striking the paragraph.

15 20 Sec. 31. Section 284.12, subsection 3, Code 2007, is
15 21 amended by striking the subsection.

15 22 Sec. 32. Section 284.13, subsection 1, paragraphs c and d,
15 23 Code 2007, are amended to read as follows:

15 24 c. For each fiscal year of the fiscal period beginning
15 25 July 1, 2006, and ending June 30, 2009, up to six hundred
15 26 ninety-five thousand dollars to the department of ~~education~~
15 27 for purposes of implementing the ~~career professional~~
15 28 development program requirements of section 284.6, ~~the review~~
~~15 29 panel requirements of section 284.9 assistance in developing~~
~~15 30 model evidence for teacher quality committees established~~
~~15 31 pursuant to section 284.4, subsection 1, paragraph "c", and~~
15 32 the evaluator training program in section 284.10. A portion
15 33 of the funds allocated to the department for purposes of this
15 34 paragraph may be used by the department for administrative
15 35 purposes.

16 1 d. For the fiscal year beginning July 1, ~~2006~~ 2007, and
16 2 ending June 30, ~~2007~~ 2008, up to ~~ten~~ twenty million dollars to
16 3 the department of ~~education~~ for use by school districts to ~~add~~
~~16 4 one additional teacher contract day to the school calendar for~~
~~16 5 professional development as provided in section 284.6. The~~
16 6 department shall distribute funds allocated for the purpose of
16 7 this paragraph based on the average per diem contract salary
16 8 for each district as reported to the department for the school
16 9 year beginning July 1, ~~2005~~ 2006, multiplied by the total
16 10 number of full-time equivalent teachers in the base year. The

16 11 department shall adjust each district's average per diem
16 12 salary by the allowable growth rate established under section
16 13 257.8 for the fiscal year beginning July 1, ~~2006~~ 2007. The
16 14 contract salary amount shall be the amount paid for their
16 15 regular responsibilities but shall not include pay for
16 16 extracurricular activities. ~~School districts shall distribute~~
~~16 17 funds to teachers based on individual teacher per diem~~
~~16 18 amounts.~~ These funds shall not supplant existing funding for
16 19 professional development activities. Notwithstanding any
16 20 provision to the contrary, moneys received by a school
16 21 district under this paragraph shall not revert but shall
16 22 remain available for the same purpose in the succeeding fiscal
16 23 year. A school district shall submit a report to the
16 24 department in a manner determined by the department describing
16 25 its use of the funds received under this paragraph. The
16 26 department shall submit a report on school district use of the
16 27 moneys distributed pursuant to this paragraph to the
16 28 ~~chairpersons and ranking members of the house and senate~~
~~16 29 standing committees on education, the joint appropriations~~
~~16 30 subcommittee on education, general assembly and the~~
16 31 legislative services agency not later than January 15, ~~2007~~ of
16 32 the fiscal year for which moneys are allocated for purposes of
16 33 this paragraph.

16 34 Sec. 33. Section 284.13, subsection 1, paragraph e, Code
16 35 2007, is amended by striking the paragraph and inserting in
17 1 lieu thereof the following:

17 2 e. For the fiscal year beginning July 1, 2007, and ending
17 3 June 30, 2008, an amount up to one million eight hundred
17 4 forty-five thousand dollars to the department for the
17 5 establishment of teacher development academies in accordance
17 6 with section 284.6, subsection 10. A portion of the funds
17 7 allocated to the department for purposes of this paragraph may
17 8 be used for administrative purposes.

17 9 Sec. 34. Section 284.13, subsection 1, paragraph f,
17 10 unnumbered paragraph 1, Code 2007, is amended to read as
17 11 follows:

17 12 For purposes of market factor teacher ~~salaries~~ incentives
17 13 pursuant to section 284.11, the following amounts are
17 14 allocated to the department for the following fiscal years:

17 15 Sec. 35. Section 284.13, subsection 1, paragraph f,
17 16 subparagraphs (1), (2), and (3), Code 2007, are amended to
17 17 read as follows:

17 18 (1) For ~~the each~~ each fiscal year of the fiscal period
17 19 beginning July 1, 2006, and ending June 30, ~~2007~~ 2008, the sum
17 20 of three million three hundred ninety thousand dollars.

17 21 (2) For the fiscal year beginning July 1, ~~2007~~ 2008, and
17 22 ending June 30, ~~2008~~ 2009, the sum of seven million five
17 23 hundred thousand dollars.

17 24 (3) For the fiscal year beginning July 1, ~~2008~~ 2009, and
17 25 ending June 30, ~~2009~~ 2010, the sum of ~~ten~~ six million six
17 26 hundred ten thousand dollars.

17 27 Sec. 36. Section 284.13, subsection 1, paragraph g,
17 28 subparagraphs (2) and (3), Code 2007, are amended to read as
17 29 follows:

17 30 (2) For the fiscal year beginning July 1, 2007, and ending
17 31 June 30, 2008, the sum of ~~two one~~ two million ~~five hundred~~
17 32 ~~thousand~~ dollars. From the amount allocated under this

17 33 subparagraph, an amount up to ten thousand dollars shall be
17 34 used for purposes of the pay-for-performance commission's
17 35 expenses, an amount up to one hundred thousand dollars shall
18 1 be distributed to the department of education for oversight
18 2 and administration of the planning projects as provided in
18 3 section 284.14, and an amount up to two hundred thousand
18 4 dollars shall be used for the employment of an external
18 5 evaluator.

18 6 (3) For ~~the each~~ each fiscal year of the fiscal period
18 7 beginning July 1, 2008, and ending June 30, ~~2009~~ 2010, the sum
18 8 of ~~five two~~ five million ~~five hundred~~ thousand dollars. From the
18 9 amount allocated for each fiscal year under this subparagraph,
18 10 an amount up to ten thousand dollars shall be used for
18 11 purposes of the pay-for-performance commission's expenses, an
18 12 amount up to one hundred thousand dollars shall be distributed
18 13 to the department of education for oversight and
18 14 administration of the planning and implementation projects as
18 15 provided in section 284.14, and an amount up to two hundred
18 16 thousand dollars shall be used for the employment of an
18 17 external evaluator.

18 18 Sec. 37. Section 284.13, subsection 1, paragraph h,
18 19 unnumbered paragraph 1, Code 2007, is amended to read as
18 20 follows:

18 21 For each fiscal year in which funds are appropriated for

18 22 purposes of this chapter, the moneys remaining after
18 23 distribution as provided in paragraphs "a" through "g" shall
18 24 be allocated to school districts for salaries ~~and career~~
~~18 25 development~~ in accordance with the following formula:

18 26 Sec. 38. Section 284.13, subsection 1, paragraph i, Code
18 27 2007, is amended to read as follows:

18 28 i. From moneys available under paragraph "h", the
18 29 department shall allocate to area education agencies an amount
18 30 per ~~classroom~~ teacher employed by an area education agency
18 31 that is approximately equivalent to the average per teacher
18 32 amount allocated to the districts. The average per teacher
18 33 amount shall be calculated by dividing the total number of
18 34 ~~classroom~~ teachers employed by school districts and the
18 35 ~~classroom~~ teachers employed by area education agencies into
19 1 the total amount of moneys available under paragraph "h".

19 2 Sec. 39. Section 284.13, subsection 1, paragraph j, Code
19 3 2007, is amended to read as follows:

19 4 j. Notwithstanding section 8.33, any moneys remaining
19 5 unencumbered or unobligated from the moneys allocated for
19 6 purposes of paragraph "a", "b", ~~or "c"~~, or "g" shall not
19 7 revert but shall remain available in the succeeding fiscal
19 8 year for expenditure for the purposes designated. The
19 9 provisions of section 8.39 shall not apply to the funds
19 10 appropriated pursuant to this subsection.

19 11 Sec. 40. Section 284.14, Code 2007, is amended by adding
19 12 the following new subsection:

19 13 NEW SUBSECTION. 0A. INTENT. The intent of this section
19 14 is to create a process by which select Iowa school districts
19 15 research, develop, and implement projects designed to identify
19 16 promising practices related to enhanced teacher compensation
19 17 career ladders and performance pay models. If successful
19 18 pilot processes are developed and implemented by local school
19 19 districts, it is the intent of the general assembly to
19 20 establish sustained long-term funding of successful planning
19 21 or implementation projects.

19 22 Sec. 41. Section 284.14, subsections 1, 2, and 3, Code
19 23 2007, are amended to read as follows:

19 24 1. COMMISSION. A pay-for-performance commission is
19 25 established to design and implement a pay-for-performance
19 26 program pilot project and provide a study relating to teacher
19 27 and staff compensation containing a pay-for-performance
19 28 component. The study shall measure the cost and effectiveness
19 29 in raising student achievement of a compensation system that
19 30 provides financial incentives based on student performance.
19 31 The commission is part of the executive branch of government.

19 32 2. DEVELOPMENT OF PROGRAM. Beginning July 1, 2006, the
19 33 commission shall gather sufficient information to identify a
19 34 pay-for-performance program based upon student achievement
19 35 gains and global content standards where student achievement
20 1 gains cannot be easily measured. The commission shall review
20 2 pay-for-performance programs in both the public and private
20 3 sector. ~~Based on this information, the commission shall~~
~~20 4 design a program utilizing both individual and group incentive~~
~~20 5 components. At least half of any available funding identified~~
~~20 6 by the commission shall be designated for individual~~
~~20 7 incentives.~~

20 8 a. Commencing with the school year beginning July 1, 2007,
20 9 the commission shall initiate demonstration planning projects,
20 10 in selected kindergarten through grade twelve schools, to test
20 11 the effectiveness of the pay-for-performance program. The
20 12 purpose of the demonstration planning projects is to identify
20 13 the strengths and weaknesses of the various
20 14 pay-for-performance program design career ladder designs,
20 15 including the career path levels of the student achievement
20 16 and teacher quality program pursuant to section 284.7,
20 17 evaluate cost effectiveness, analyze student achievement gains
20 18 needs, select formative and summative student achievement
20 19 measures that align to identify needs, consider necessary
20 20 supports related to the student achievement goals in the
20 21 school district's comprehensive school improvement plan, test
20 22 assessments review assessment needs, identify mechanisms to
20 23 account for existing teacher contract provisions within the
20 24 proposed career ladder salary increments, allow thorough
20 25 review of data, and make necessary adjustments before
20 26 implementing proposing implementation of the
20 27 pay-for-performance program statewide.

20 28 b. The For the school year beginning July 1, 2007, and
20 29 ending June 30, 2008, the commission shall select up to ten
20 30 school districts as demonstration planning projects, with one
20 31 or more selected projects demonstrating a regional approach.
20 32 ~~To the extent practicable, participants shall represent~~

~~20 33 geographically distinct rural, urban, and suburban areas of~~
~~20 34 the state. Participants shall provide reports or other~~
~~20 35 information as required by the commission.~~

21 1 c. ~~Commencing with~~ For the school year beginning July 1,
21 2 2008, ~~and ending June 30, 2009,~~ the commission shall select up
21 3 ~~to~~ twenty additional school districts as ~~demonstration~~
21 4 ~~planning or implementation~~ projects.

21 5 3. REPORTS AND FINAL STUDY. Based on the information
21 6 generated by the ~~demonstration~~ planning or implementation
21 7 projects, the commission shall prepare an interim report by
21 8 January ~~15 14, 2007~~ 2008, followed by interim progress reports
21 9 annually, followed by a final study report analyzing the
21 10 effectiveness of pay-for-performance in raising student
21 11 achievement levels. The final study report shall be completed
21 12 no later than six months after the completion of the
21 13 ~~demonstration~~ planning or implementation projects. The
21 14 commission shall provide copies of the final study report to
21 15 the department of education and to the ~~chairpersons and~~
~~21 16 ranking members of the senate and house standing committees on~~
~~21 17 education general assembly.~~

21 18 Sec. 42. Section 284.14, subsection 4, Code 2007, is
21 19 amended by striking the subsection.

21 20 Sec. 43. Section 284A.1, Code 2007, is amended by adding
21 21 the following new subsections:

21 22 NEW SUBSECTION. 2A. "Comprehensive evaluation" means a
21 23 summative evaluation of a beginning administrator conducted by
21 24 an evaluator in accordance with section 284A.3 for purposes of
21 25 determining a beginning administrator's level of competency
21 26 for recommendation for licensure based on the Iowa standards
21 27 for school administrators adopted pursuant to section 256.7,
21 28 subsection 27.

21 29 NEW SUBSECTION. 3A. "Director" means the director of the
21 30 department of education.

21 31 NEW SUBSECTION. 3B. "Evaluation" means a summative
21 32 evaluation of an administrator used to determine whether the
21 33 administrator's practice meets school district expectations
21 34 and the Iowa standards for school administrators adopted
21 35 pursuant to section 256.7, subsection 27.

22 1 Sec. 44. Section 284A.2, subsection 3, Code 2007, is
22 2 amended to read as follows:

22 3 3. Each school board shall establish an administrator
22 4 mentoring program for all beginning administrators. The
22 5 school board may adopt the model program developed by the
22 6 department pursuant to subsection 2. Each school board's
22 7 beginning administrator mentoring and induction program shall,
22 8 at a minimum, provide for one year of programming to support
22 9 the Iowa standards for school administrators adopted pursuant
22 10 to section 256.7, subsection 27, and beginning administrators'

22 11 professional and personal needs. Each school board shall
22 12 develop an initial beginning administrator mentoring and
22 13 induction plan. The plan shall describe the mentor selection
22 14 process, describe supports for beginning administrators,
22 15 describe program organizational and collaborative structures,
22 16 provide a budget, provide for sustainability of the program,
22 17 and provide for program evaluation. The school board
22 18 employing an administrator shall determine the conditions and
22 19 requirements of an administrator participating in a program
22 20 established pursuant to this section. A school board shall
22 21 include its plan in the school district's comprehensive school
22 22 improvement plan submitted pursuant to section 256.7,
22 23 subsection 21.

22 24 Sec. 45. Section 284A.2, Code 2007, is amended by adding
22 25 the following new subsection:

22 26 NEW SUBSECTION. 3A. A beginning administrator shall be
22 27 informed by the school district or the area education agency,
22 28 prior to the beginning administrator's participation in a
22 29 mentoring and induction program, of the criteria upon which
22 30 the administrator will be evaluated and of the evaluation
22 31 process utilized by the school district or area education
22 32 agency.

22 33 Sec. 46. Section 284A.2, subsection 4, Code 2007, is
22 34 amended to read as follows:

22 35 4. By the end of a beginning administrator's ~~second~~ first
23 1 year of employment, the beginning administrator may be
23 2 comprehensively evaluated ~~at the discretion of the school~~
~~23 3 board to determine if the administrator meets expectations to~~
23 4 move to a standard administrator license. The school district
23 5 or area education agency that employs a beginning
23 6 administrator shall recommend the beginning administrator for
23 7 a standard license if the beginning administrator is
23 8 determined through a comprehensive evaluation to demonstrate

23 9 competence in the Iowa standards for school administrators
23 10 adopted pursuant to section 256.7, subsection 27. A school
23 11 district or area education agency may allow a beginning
23 12 administrator a second year to demonstrate competence in the
23 13 Iowa standards for school administrators if, after conducting
23 14 a comprehensive evaluation, the school district or area
23 15 education agency determines that the administrator is likely
23 16 to successfully demonstrate competence in the Iowa standards
23 17 for school administrators by the end of the second year. Upon
23 18 notification by the school district or area education agency,
23 19 the board of educational examiners shall grant a beginning
23 20 administrator who has been allowed a second year to
23 21 demonstrate competence a one-year extension of the beginning
23 22 administrator's initial license. An administrator granted a
23 23 second year to demonstrate competence shall undergo a
23 24 comprehensive evaluation at the end of the second year.

23 25 Sec. 47. NEW SECTION. 284A.1 ADMINISTRATOR QUALITY
23 26 PROGRAM.

23 27 An administrator quality program is established to promote
23 28 high student achievement and enhanced educator quality. The
23 29 program shall consist of the following three major components:

- 23 30 1. Mentoring and induction programs that provide support
23 31 for administrators in accordance with section 284A.2, as
23 32 amended in this Act.
- 23 33 2. Professional development designed to directly support
23 34 best practices for leadership.
- 23 35 3. Evaluation of administrators against the Iowa standards
24 1 for school administrators.

24 2 Sec. 48. NEW SECTION. 284A.3 IOWA STANDARDS FOR SCHOOL
24 3 ADMINISTRATORS EVALUATIONS.

24 4 By July 1, 2008, each school board shall provide for
24 5 evaluations for administrators under individual career
24 6 development plans developed in accordance with section
24 7 279.23A, and the Iowa standards for school administrators and
24 8 related criteria adopted by the state board in accordance with
24 9 section 256.7, subsection 27. A local school board may
24 10 establish additional administrator standards and related
24 11 criteria.

24 12 Sec. 49. NEW SECTION. 284A.4 PARTICIPATION.
24 13 Effective July 1, 2007, each school district shall
24 14 participate in the administrator quality program, and the
24 15 board of directors of each school district shall do all of the
24 16 following:

- 24 17 1. Implement a beginning administrator mentoring and
24 18 induction program as provided in this chapter.
- 24 19 2. Adopt individual administrator career development plans
24 20 in accordance with this chapter.
- 24 21 3. Adopt an administrator evaluation plan that, at a
24 22 minimum, requires an evaluation of administrators in the
24 23 school district annually pursuant to section 279.23A and based
24 24 upon the Iowa standards for school administrators and
24 25 individual administrator career development plans.

24 26 Sec. 50. NEW SECTION. 284A.6 ADMINISTRATOR CAREER
24 27 DEVELOPMENT.

24 28 1. Each school district shall be responsible for the
24 29 provision of professional growth programming for individuals
24 30 employed in a school district administrative position by the
24 31 school district or area education agency as deemed appropriate
24 32 by the board of directors of the school district or area
24 33 education agency. School districts may collaborate with other
24 34 educational stakeholders including other school districts,
24 35 area education agencies, professional organizations, higher
25 1 education institutions, and private providers, regarding the
25 2 provision of professional development for school district
25 3 administrators. Professional development programming for
25 4 school district administrators may include support that meets
25 5 the career development needs of individual administrators
25 6 aligned to the Iowa standards for school administrators
25 7 adopted pursuant to section 256.7, subsection 27, and meets
25 8 individual administrator career development plans.

25 9 2. In cooperation with the administrator's evaluator, the
25 10 administrator who has a standard administrator's license
25 11 issued by the board of educational examiners pursuant to
25 12 chapter 272 and is employed by a school district or area
25 13 education agency in a school district administrative position,
25 14 shall develop an individual administrator career development
25 15 plan. The purpose of the plan is to promote individual and
25 16 group career development. The individual plan shall be based,
25 17 at a minimum, on the needs of the administrator, the Iowa
25 18 standards for school administrators adopted pursuant to
25 19 section 256.7, subsection 27, and the student achievement

25 20 goals of the attendance center and the school district as
 25 21 outlined in the comprehensive school improvement plan.
 25 22 3. The administrator's evaluator shall meet annually as
 25 23 provided in section 279.23A with the administrator to review
 25 24 progress in meeting the goals in the administrator's
 25 25 individual plan. The purpose of the meeting shall be to
 25 26 review collaborative work with other staff on student
 25 27 achievement goals and to modify as necessary the
 25 28 administrator's individual plan to reflect the individual
 25 29 administrator's and the school district's needs and the
 25 30 individual's progress in meeting the goals in the plan. The
 25 31 administrator shall present to the evaluator evidence of
 25 32 progress. The administrator's supervisor and the evaluator
 25 33 shall review and the supervisor may modify the administrator's
 25 34 individual plan.

25 35 Sec. 51. NEW SECTION. 284A.7 EVALUATION REQUIREMENTS FOR
 26 1 ADMINISTRATORS.

26 2 A school district shall conduct an evaluation of an
 26 3 administrator who holds a standard license issued under
 26 4 chapter 272 at least once every three years for purposes of
 26 5 assisting the administrator in making continuous improvement,
 26 6 documenting continued competence in the Iowa standards for
 26 7 school administrators adopted pursuant to section 256.7,
 26 8 subsection 27, or to determine whether the administrator's
 26 9 practice meets school district expectations. The review shall
 26 10 include, at a minimum, an assessment of the administrator's
 26 11 competence in meeting the Iowa standards for school
 26 12 administrators and the goals of the administrator's individual
 26 13 career development plan, including supporting documentation or
 26 14 artifacts aligned to the Iowa standards for school
 26 15 administrators and the individual administrator's career
 26 16 development plan.

26 17 Sec. 52. 2006 Iowa Acts, chapter 1182, section 1,
 26 18 unnumbered paragraph 2, is amended to read as follows:

26 19 For purposes, as provided in law, of the student
 26 20 achievement and teacher quality program established pursuant
 26 21 to chapter 284:

26 22	FY 2006=2007.....	\$104,343,894
26 23	FY 2007=2008.....	\$139,343,894
26 24		<u>174,343,894</u>
26 25	FY 2008=2009.....	\$174,343,894
26 26		<u>249,343,894</u>

26 27 Sec. 53. Section 284A.1, Code 2007, is transferred to
 26 28 section 284A.2.

26 29 Sec. 54. Section 284A.2, Code 2007, is transferred to
 26 30 section 284A.5.

26 31 Sec. 55. Section 284A.3, Code 2007, is transferred to
 26 32 section 284A.8.

26 33 Sec. 56. CODE EDITOR DIRECTIVE. The Code editor is
 26 34 directed to correct internal references in the Code as
 26 35 necessary due to enactment of the sections of this Act that
 27 1 relocate sections 284A.1, 284A.2, and 284A.3.

27 2 Sec. 57. EFFECTIVE DATE. The section of this Act amending
 27 3 section 284.13, subsection 1, paragraph "j", relating to the
 27 4 nonreversion of funds, being deemed of immediate importance,
 27 5 takes effect upon enactment.

27 6 Sec. 58. STATE MANDATE FUNDING SPECIFIED. In accordance
 27 7 with section 25B.2, subsection 3, the state cost of requiring
 27 8 compliance with any state mandate included in this Act shall
 27 9 be paid by a school district from state school foundation aid
 27 10 received by the school district under section 257.16 and
 27 11 moneys appropriated in this Act. This specification of the
 27 12 payment of the state cost shall be deemed to meet all the
 27 13 state funding-related requirements of section 25B.2,
 27 14 subsection 3, and no additional state funding shall be
 27 15 necessary for the full implementation of this Act by and
 27 16 enforcement of this Act against all affected school districts.

27 17 EXPLANATION

27 18 This bill increases appropriations made for FY 2007=2008
 27 19 and FY 2008=2009 for the student achievement and teacher
 27 20 quality program, requires school districts to have qualified
 27 21 guidance counselors, but permits school districts to request a
 27 22 waiver from the department of education, makes changes to the
 27 23 student achievement and teacher quality program including
 27 24 increasing minimum teacher salaries, establishes an
 27 25 administrator quality program, and requires the state board of
 27 26 education to adopt Iowa standards for school administrators.
 27 27 The bill adds new elements to the student achievement and
 27 28 teacher quality program, including teacher development
 27 29 programs and evaluation of teachers against the Iowa teaching
 27 30 standards.

27 31 QUALIFIED GUIDANCE COUNSELORS, SCHOOL NURSES, AND TEACHER
27 32 LIBRARIANS. While requiring school districts to have
27 33 qualified guidance counselors and school nurses, the bill
27 34 authorizes school districts to seek supplemental aid from the
27 35 school budget review committee for the cost of adding these
28 1 guidance counselors as well as teacher librarians. A guidance
28 2 counselor-to-student ratio of one to 350 is established as a
28 3 goal. The bill also updates a provision to allow districts to
28 4 seek up to a two-year waiver of the requirements from the
28 5 department. A school district that has met the requirement in
28 6 the previous school year cannot seek a waiver from that
28 7 requirement for the current school year.

28 8 ADMINISTRATOR LICENSURE RENEWAL REQUIREMENT OPTION. The
28 9 bill directs the board of educational examiners to include in
28 10 its administrator licensure renewal requirements an option
28 11 that allows credit for administrators' individual career
28 12 development plans.

28 13 STUDENT ACHIEVEMENT AND TEACHER QUALITY == TEACHER
28 14 DEFINITIONS. The bill changes the definition of "teacher" to
28 15 include a person who holds a practitioner's license and a
28 16 statement of professional recognition for school nurses. The
28 17 bill strikes references to positions teachers are required to
28 18 be employed in by a school district or an area education
28 19 agency.

28 20 COLLECTIVE BARGAINING. The bill requires local school
28 21 boards and their certified bargaining representatives to
28 22 negotiate evaluation and grievance procedures for teachers
28 23 other than beginning teachers. If the licensed employees of a
28 24 school district or area education agency receiving funds
28 25 allocated for salaries under the student achievement and
28 26 teacher quality program are organized for collective
28 27 bargaining purposes, the local board and the certified
28 28 bargaining representative must agree on a formula for
28 29 distributing the funds. The Code provides for distribution if
28 30 the parties reach an impasse.

28 31 AREA EDUCATION AGENCIES. The bill makes certain persons
28 32 employed by area education agencies and the agencies eligible
28 33 to receive moneys under the student achievement and teacher
28 34 quality program.

28 35 TEACHER QUALITY COMMITTEE. The bill strikes language that
29 1 required school districts to provide an extra day of contract
29 2 days beginning in the fifth year of participation in the
29 3 student achievement and teacher quality program, and replaces
29 4 it with a requirement that school districts, and area
29 5 education agencies that wish to participate in the program,
29 6 create a teacher quality committee to monitor implementation
29 7 of the program, monitor the evaluation requirements of the
29 8 program and develop model evidence for the Iowa teaching
29 9 standards and criteria, make recommendations on the use and
29 10 distribution of professional development funds, monitor the
29 11 professional development in each attendance center, and ensure
29 12 that the agreement negotiated pursuant to Code chapter 20
29 13 determines compensation for teachers on the committee for work
29 14 responsibilities beyond the normal workday.

29 15 INTENSIVE ASSISTANCE PROGRAM. Each school district shall
29 16 be prepared to offer an intensive assistance program, which is
29 17 subject to negotiation and grievance procedures under Code
29 18 chapter 20. A teacher shall not suffer adverse employment
29 19 consequences for not meeting standards and criteria until
29 20 given an opportunity to participate in an intensive assistance
29 21 program.

29 22 PROFESSIONAL DEVELOPMENT. The bill requires that school
29 23 districts develop attendance center professional development
29 24 plans, requires that school district professional development
29 25 plans include the use and distribution of professional
29 26 development plans in accordance with the collective bargaining
29 27 agreement, and requires school districts to create quality
29 28 professional development opportunities and balance the use of
29 29 professional development funds between the school district,
29 30 attendance center, and individual professional development
29 31 plans. The bill allocates \$20 million from the student
29 32 achievement and teacher quality program funds for purposes of
29 33 professional development.

29 34 TEACHER DEVELOPMENT ACADEMIES AND TEACHER TRAINERS. The
29 35 bill directs the department of education to establish, with
30 1 funds appropriated for such a purpose in the bill, teacher
30 2 development academies, including an institute and follow-up
30 3 training and coaching.

30 4 MINIMUM SALARY CHANGES. The bill provides that the minimum
30 5 salary for a first-year beginning teacher is \$26,500, for a
30 6 first-year career teacher is \$27,500, and for a second-year

30 7 career teacher is \$28,500. Currently, the Code provides for
30 8 beginning and career teacher salaries of \$25,500, \$26,500, and
30 9 \$27,500, respectively.

30 10 MARKET FACTOR TEACHER SALARIES. The bill amends the Code
30 11 section that provides for state assistance to allow school
30 12 districts to add a market factor to teacher salaries paid by
30 13 the school districts to replace the word "salaries" with
30 14 "incentives"; provides that incentives may include educational
30 15 opportunities and support, moving expenses, and housing
30 16 expenses; funding to prepare education personnel to attain a
30 17 license or endorsement in a shortage area; and requires the
30 18 teacher quality committee make recommendations to the school
30 19 board and collective bargaining representative regarding the
30 20 expenditure of market factor incentives. The bill also
30 21 requires the department to submit a report on the use and
30 22 effectiveness of the funds allocated for incentives, and
30 23 states legislative intent to reevaluate future appropriations
30 24 for the incentives based on the report.

30 25 TEAM-BASED VARIABLE PAY. The bill strikes references to
30 26 team-based variable pay.

30 27 PAY=FOR=PERFORMANCE PROGRAM. The pay=for=performance
30 28 program is changed to reflect the recommendations from the
30 29 final report of the pay=for=performance commission. The
30 30 commission will no longer be responsible for designing a
30 31 program utilizing both the individual and group incentive
30 32 components, nor will the funding be designated for individual
30 33 incentives. The commission is charged with initiating up to
30 34 10 planning projects in FY 2007=2008 and up to 20 additional
30 35 planning and implementation projects in FY 2008=2009. The
31 1 purpose of the planning projects is to identify the strengths
31 2 and weaknesses of various career ladder designs, select
31 3 formative and summative student achievement measures, consider
31 4 supports related to student achievement goals, review
31 5 assessment needs, identify mechanisms to account for existing
31 6 teacher contract provisions within the proposed career ladder
31 7 salary increments, and make necessary adjustments before
31 8 proposing implementation of the program statewide.

31 9 ADMINISTRATOR QUALITY PROGRAM. During the 2006 Legislative
31 10 Session, the general assembly established the beginning
31 11 administrator mentoring program. The program now becomes a
31 12 component of a new administrator quality program under the
31 13 bill. The administrator quality program established by the
31 14 bill is designed to function much like the teacher quality,
31 15 career development, and evaluation provisions of the student
31 16 achievement and teacher quality program. The program's other
31 17 two components include professional development designed to
31 18 directly support best practices for leadership, and evaluation
31 19 of administrators against Iowa standards for school
31 20 administrators, which the director of the department of
31 21 education is directed to develop, and the state board to
31 22 adopt. The standards are to include knowledge and skill
31 23 criteria, and based upon the standards, mentoring and
31 24 induction, evaluation processes, and administrator career
31 25 development plans.

31 26 Under current Code, a beginning administrator is
31 27 comprehensively evaluated at the end of the administrator's
31 28 first year. Under the bill, if the administrator demonstrates
31 29 competence, the employer must recommend the administrator for
31 30 a standard license. A beginning administrator who fails to
31 31 demonstrate competence at the end of the first year may be
31 32 allowed a second year and given a one-year extension of the
31 33 administrator's initial license in order to demonstrate
31 34 competence.

31 35 The bill requires each school board, by July 1, 2008, to
32 1 provide annual evaluations that assess administrators, at a
32 2 minimum, against the Iowa standards for school administrators
32 3 and the criteria for the standards developed by the
32 4 department. A local school board may establish additional
32 5 evaluation and grievance procedures. The bill also requires
32 6 school districts to adopt individual career development plans
32 7 for administrators and adopt an administrator evaluation plan.

32 8 Each school district must provide for the professional
32 9 growth programming for individuals employed in an
32 10 administrative position in the school district. Each school
32 11 district administrator must develop an individual career
32 12 development plan. The administrator's evaluator shall
32 13 annually meet with the administrator to review progress in
32 14 meeting the goals in the administrator's individual plan.

32 15 A school district shall review an administrator's
32 16 performance annually for purposes of assisting the
32 17 administrator in making continuous improvement, documenting

32 18 continued competence in the Iowa standards for school
32 19 administrators, or to determine whether the administrator's
32 20 practice meets school district expectations. An administrator
32 21 from another state or country is exempt from the mentoring and
32 22 induction requirements if the administrator can document two
32 23 years of successful administrator experience and meet or
32 24 exceed the board of educational examiners licensure
32 25 requirements.

32 26 The bill directs the Code editor to relocate sections in
32 27 Code chapter 284A to incorporate the new sections added by the
32 28 bill.

32 29 STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
32 30 APPROPRIATIONS. The bill increases the appropriations made
32 31 for purposes of the student achievement and teacher quality
32 32 program for FY 2007=2008 by \$35 million and for FY 2008=2009
32 33 by \$75 million. The bill makes appropriations and allocations
32 34 to the department of education to continue providing funding
32 35 to school districts and area education agencies for salaries
33 1 and career development purposes, and to fund the establishment
33 2 of teacher development academies. The bill readjusts the
33 3 allocations for market factor teacher incentives and extends
33 4 the appropriations to FY 2009=2010. The bill also decreases
33 5 funding for the pay-for-performance program, but extends the
33 6 program to FY 2009=2010. Moneys for the program are allowed
33 7 to carry over, effective upon enactment.

33 8 The bill may include a state mandate as defined in Code
33 9 section 25B.3. The bill requires that the state cost of any
33 10 state mandate included in the bill be paid by a school
33 11 district from state school foundation aid received by the
33 12 school district under Code section 257.16 and moneys
33 13 appropriated in the bill. The specification is deemed to
33 14 constitute state compliance with any state mandate funding=
33 15 related requirements of Code section 25B.2. The inclusion of
33 16 this specification is intended to reinstate the requirement of
33 17 political subdivisions to comply with any state mandates
33 18 included in the bill.

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33 20 kh:rj/gg/14